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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/412,182	10/05/1999	JOSEPH M. CANNON	83-76-31	9312

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EXAMINER	
WEST, LEWIS G	

ART UNIT	PAPER NUMBER
2682	22

DATE MAILED: 07/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/412,182	CANNON ET AL.	
	Examiner	Art Unit	
	Lewis G. West	2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6 and 8-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-6 and 8-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 May 2002* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Response to Arguments

1. Applicant's arguments with respect to claims 1-19 have been considered but are moot in view of the new ground(s) of rejection. However, examiner maintains that cellular and cordless systems are analogous. There are no cellular phones in the prior art where Cellular systems do use DTMF as is expressly stated in Tendler. Cellular systems for connections to emergency services inherently connect to a public network or no emergency services could be obtained in the current structure of public telecommunications. Tendler clearly automatically dials the number (see col. 2 lines 41-44).

Specification

2. The use of the trademarks "Sesame Street" and "PBS" have been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-6 and 8-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tendler (5,555,286) in view of Schellinger (5,260,988).

Regarding claim 1, Tendler discloses a cordless (cellular) telephone comprising a base unit (cell site), wherein a handset is adapted to directly communicate to the base station, the handset including a keypad, a key scan element adapted to scan the keypad for a predetermined key sequence while the handset is in an on-hook condition, and a controller adapted to cause the initiation of an outgoing call based on a determination of the predetermined key sequence, without a need to manually instruct the cordless phone to go off hook. (Col. 2 lines 31-45, col. 5 lines 11-26) Tendler does not expressly disclose a connection to a PSTN, or an available dial tone. Schellinger discloses a system wherein a cellular handset may operate with a cellular base station or a PSTN connected cordless station with an available dial tone. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use the handset of Tendler with a cordless PSTN connected base station with an available dial tone in order to use the compatibility of the analogous systems in order to reach emergency services, landline phone having better location determining capabilities than the cellular base station.

Regarding claim 2, the combination of Tendler and Schellinger discloses a cordless telephone wherein the outgoing call is initiated to a telephone number corresponding to the predetermined key sequence. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 3, the combination of Tendler and Schellinger discloses a cordless telephone wherein the predetermined sequence is 9-1-1. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 4, the combination of Tendler and Schellinger discloses a cordless telephone wherein the base unit is adapted to establish a link with a network based on a signal form the controller in the handset, to sense a dial tone and to output

dual tone multifrequency (DTMF) signals corresponding to a number to be dialed to the network. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 5, the combination of Tendler and Schellinger discloses a public switched telephone network.

Regarding claim 6, the combination of Tendler and Schellinger discloses a handset for a cordless (cellular) telephone comprising a keypad, a key scan element adapted to scan the keypad for a predetermined key sequence while in an on-hook condition, and a controller adapted to cause the initiation of an outgoing call to a base, directly interfaced to the handset, based on a determination of the predetermined key sequence without a need to manually instruct the cordless phone to go off hook. (Col. 2 lines 31-45, col. 5 lines 11-26) Tendler does not expressly disclose a connection to a PSTN, or an available dial tone. Schellinger discloses a system wherein a cellular handset may operate with a cellular base station or a PSTN connected cordless station with an available dial tone. Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to use the handset of Tendler with a cordless PSTN connected base station with an available dial tone in order to use the compatibility of the analogous systems in order to reach emergency services, landline phone having better location determining capabilities than the cellular base station.

Regarding claim 7, the combination of Tendler and Schellinger discloses a handset wherein the controller is adapted to output a signal to a corresponding base unit based on the determination of the predetermined key sequence. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 8, the combination of Tendler and Schellinger discloses a handset, further comprising an RF transceiver, wherein the signal is output to the base unit via the RF transceiver. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 9, the combination of Tendler and Schellinger discloses a handset wherein the signal informs the base unit that the predetermined key sequence has been detected. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 10, the combination of Tendler and Schellinger discloses a handset wherein the signal comprises a dialing sequence of a number to be dialed. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 11, the combination of Tendler and Schellinger discloses a handset wherein the dialing sequence corresponds to the predetermined key sequence. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 12, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone handset, that is in an on-hook condition, comprising the steps of: sensing the activation of a predetermined key sequence and initiating a telephone call based on the sensed activation, wherein the cordless telephone handset is adaptively interface directly with the base unit, without a need to manually instruct the cordless phone to go off hook (col. 7 lines 66- col. 8 line 4) (col. 2 lines 31-45, col. 5 lines 11-26) Tendler does not expressly disclose a connection to a PSTN. However examiner takes official notice that it is notoriously well known in the art that a wireless system may have a wireline connection in order to connect with other exchanges as well as long distance. Therefore it would have been obvious to one of

ordinary skill in the art at the time of the invention to have a wireline connection in the Tendler system in order to be able to connect to emergency services.

Regarding claim 13, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone comprising a cordless telephone handset and a base unit with a telephone line interface that is in an on hook condition as recited in claim 12, wherein the telephone call is a telephone number corresponding to the predetermined key sequence. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 14, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone comprising a cordless telephone handset and a base unit with a telephone line interface that is in an on hook condition as recited in claim 12, wherein the predetermined key sequence is 9-1-1. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 15, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone comprising a cordless telephone handset and a base unit with a telephone line interface that is in an on hook condition as recited in claim 12, wherein the initiating step includes sending a signal to a corresponding base unit. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 16, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone comprising a cordless telephone handset and a base unit with a telephone line interface that is in an on hook condition as recited in claim 12, wherein the signal indicates detection of the predetermined key sequence. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 17, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone comprising a cordless telephone handset and a base unit with a telephone line interface that is in an on hook condition as recited in claim 12, wherein the signal includes a dialing sequence. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 18, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone comprising a cordless telephone handset and a base unit with a telephone line interface that is in an on hook condition as recited in claim 12, wherein the dialing sequence corresponds to the predetermined key sequence. (Col. 2 lines 31-45, col. 5 lines 11-26)

Regarding claim 19, the combination of Tendler and Schellinger discloses a method of placing a telephone call from a cordless telephone comprising a cordless telephone handset and a base unit with a telephone line interface that is in an on hook condition as recited in claim 12, wherein the signal is sent via an RF link. (Col. 2 lines 31-45, col. 5 lines 11-26)

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lewis G. West whose telephone number is 703-308-9298. The examiner can normally be reached on Monday-Thursday 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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June 23, 2004

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